

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

LESLIE ROSS-COLLINS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 07 C 213
	)	
MEIJER STORES LIMITED PARTNERSHIP,	)	
et al.,	)	
	)	
Defendants.	)	

MEMORANDUM ORDER

Despite this Court's brief August 28, 2007 memorandum order ("Order") that directed the attention of defense counsel to this Court's opinion in State Farm Mut. Auto. Ins. Co. v. Riley and its discussion of Fed. R. Civ. P. 8(b)'s second sentence, the Amended Answer filed later the same day has still not gotten it right (haste does indeed make waste). It is oxymoronic for a party to purport to deny an allegation as to which it has had to disclaim even a belief as to whether it is true or not. Amended Answer Count I ¶3 is therefore stricken, and defense counsel must try again--and this time counsel should simply amend Answer ¶3 rather than filing a full-blown replacement pleading.



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Milton I. Shadur  
Senior United States District Judge

Date: August 29, 2007